

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHAD E. STCLAIR

Plaintiff

COMPLAINT

Civil Action No.

2:22-cv-49

FILED

JAN 25 2022

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

JURISDICTION & VENUE

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of State Law, of rights secured by the Constitution of the United States. The Court has jurisdiction under 28 U.S.C. Section 1331 and 1333 (a)(3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. Section 2201 and 2202. Plaintiff's claims for injunctive relief are authorized by 28 U.S.C. Section 2283 & 2284 and Rule 65 of the Federal Rules of Civil Procedure.

2. THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA is an appropriate venue under 28 Section 1391 (b)(2) because it is where the events giving rise to this claim occurred.

## PLAINTIFF

3. Plaintiff, CHAD E STCLAIR is herein a prisoner of the state of Pennsylvania in the custody of the Pennsylvania Department of Corrections. He is currently confined in SCI Laurel Highlands in Somerset Pennsylvania

## DEFENDANTS

5. Defendant warden Lacky is the warden of Fayette County Prison. He is legally responsible for the operation of Fayette County Prison and for the welfare of all the inmates in that Prison.

Defendant Prime Care Medical Handles any and all medical needs for any and all medical needs of any and all inmates incarcerated in the Fayette County Prison.

7. Each defendant is sued individually and in his or her official capacity. At all times mentioned in this complaint each defendant acted under the color of state law.

## FACTS

8. On February 2021 I was arrested by German township Police. Before being committed to Fayette County Prison, the arresting officer took me to

Unontown hospital to get an Xray on my shoulder that was recently operated on. The Xray showed no damage had been done. At this time i was placed in Fayette County Prison, and due to the delicate state of my shoulder, i was placed on medical lock. Because my arm was in a brace and i couldnt protect myself i was locked in a cell 23 hours a day to keep me separated from the rest of General Population. On 3/6/21 i had some sort of medical issue and i was found face down in my cell. The gaurds came grabbed me by my feet and drug me from my cell face down. While dragging me from my cell my bed arm got caught in the doorway, instead of repositioning me the gaurds just yanked me through. I was drug off the range in this awkward position. Once off the range the gaurds left me lay on the floor until the on duty nurse (Donna) arrived at this time she stated he is conscious and she told the Gaurds to (throw) him back in his cell. At this time approximately 4 Gaurds picked me up, each grabbing a limb including my bad arm. When i was yanked from the floor i felt the screw holding my clavicle in place pop out of my collar bone. The gaurds proceeded to throw me in my cell. I was left in my cell for 4 days. Due to the fact the screw meant to be holding my clavicle in place was

Obviously visible poking through the skin on my back, I was called down to the medical department in the prison. At this time the prison Dr looked at my shoulder and her words were (OH MY). Twenty minutes later Uniontown Hospital was at the prison with a portable x-ray machine the x-ray was taken and the picture showed the screw was way out of place. I was put back on my pain meds and was told an appointment with my surgeon (Dr Bell) from UPMC Morgantown would be scheduled. I was sent back to my cell. Exactly one week later I was called back to the prison medical department only to find out that the medical dept forgot to send the x-ray to my surgeon and my appointment had yet to be made. At this time the prison Dr asked me questions and wrote a report blaming the prison guards for the condition of my shoulder. I was sent back to my cell and was told my appointment would be made. Six weeks later I was taken to a Dr in Waynesburg (the wrong Dr) this Dr was under the impression he was removing the stitches from the surgery, in reality the stitches were removed 2 months earlier. He took another x-ray and told me I need to get to my surgeon. Another 2 weeks later and about 2 months after the incident I finally got to my surgeon. At this time my surgeon (Dr Bell) informed me that to much time

had passed he couldn't fix my shoulder and due to the way the shoulder healed, my shoulder would be deformed, and i would have limited use of my arm. The next day the screw that had been poking through the skin on my back for 2 months was finally removed. This incident happened on camera on 3/6/21 approx 8pm on D Block cell 2 in the Fayette County Prison. This is all very well medically documented. This could have been avoided if i was given proper medical attention in a timely manner. My right to adequate medical care was denied to me by the Fayette County Prison and Prime Care medical. I have tried several times to get a copy of my medical records but so far have been denied.

### EXHAUSTION OF LEGAL REMEDIES

11. Plaintiff CHAD E. ST CLAIR used the prison grievance procedure available at Fayette County Prison to try and solve the problem. With no resolve

### LEGAL CLAIMS

13. The Medical Negligence / staff negligence, deliberate indifference to medical needs, unsafe conditions violated Plaintiff's CHAD E. ST CLAIR'S

rights and Constituted the EIGHTH AMENDMENT  
Cruel and unusual punishment a due process violation  
Amendment to the United States Constitution

14. The Plaintiff has no plain, adequate or Complete  
Remedy at law to redress the wrongs described herein.  
Plaintiff has been and will Continue to be irreparably  
injured by the Conduct of the defendants unless this  
Court grants the declaratory and injunctive Relief  
which Plaintiff seeks.

### PRAYER FOR RELIEF

WHEREFORE Plaintiff respectfully prays that this  
Court enter judgement granting Plaintiff:

15. A declaration that the acts and omissions  
described herein violated Plaintiffs rights under  
the Constitution and laws of the United States.

16. A Preliminary and Permanent injunction ordering  
defendants Fayette County Prison / Prime Care Medical  
to Stop denying Prisoners adequate Medical Care

17. Compensatory damages in the amount of \$600,000  
against each defendant, Jointly and Severally.

- 18 Punitive damages in the amount of \$ 125,000 against each defendant.
- 19 A Jury trial on all issues triable by Jury
20. Plaintiffs Cost in this Suit
- 21 Any additional relief this Court deems Just Proper, and equitable.

1/18/2022

Respectfully submitted  
CHADE ST CLAIR  
SCT Laurel Highlands  
5706 Glades Pike  
PO BOX 631  
Somerset PA 15501

## VERIFICATION

I have read the foregoing Complaint and hereby verify that the matters alleged therein are true, except as to matters alleged on information and belief, and as to those, I believe them to be true. I certify under Penalty of perjury that the foregoing is true and Correct.

Executed at Somerset Pennsylvania on 1/18/2022

Chaz

CHADE ST CLAIR